

ing the theory that the council was merely a ratifying body for the Supreme Council, whose action was final in questions relating to the mandates.

Mr. Balfour, however, robbed President Wilson's protest of much of its effect by declaring this afternoon that Great Britain welcomed a postponement of the discussion of the mandates not only until Winston Spencer Churchill, British Secretary of State for the Colonies, was able to confer with Mesopotamian military experts who were en route from Cairo to London but until the political situation in America, Greece and Turkey was better defined, this subject, of course, to France's approval as the other interested Power. Leon Bourgeois, representing France, accepted the condition subject to the approval of the French Government. That this approval will be given is not doubted here. This will postpone a discussion of the Mesopotamian mandate until the next session of the league council.

The council devoted most of this afternoon to deciding which nations other than England, France, Japan and Belgium shall form the final Mandates Commission. It was decided that Italy, Portugal, Holland, Sweden and one other nation should be asked to name a delegate, Sweden incidentally to be asked to name a woman, pursuant to the recommendation by the assembly at its Geneva meeting that in cases of women as children in the mandated territories had suffered greatly during the previous administrations feminine interest in their future was invaluable.

The Amendments Commission, which is expected to confer with the new Republican Administration in Washington, was further strengthened to-day by the appointment of Sir Robert Borden, one-time Premier of Canada, who is expected to uphold the American position in connection with Article X. of the league covenant and to work for revision of the league charter along the lines suggested in the United States.

By the Associated Press.
PARIS, Feb. 22.—The text of Secretary Colby's note will not be generally known until tomorrow, but his unexpected intervention is received in French circles, and among others, with evident satisfaction, as showing that the New World still maintains contact and is still interested in the Old World's problems.

The council's notification of the receipt of Mr. Colby's note signed by Dr. Da Cunha, president of the council, expresses the lively interest with which the council learned of the communication from the State Department, and says that in deference to his request the council will postpone all final decisions relative to the forms of mandates now under discussion until receipt of the communication.

The note points out that the mandates on the agenda are all of the "A" (Asia Minor), "B" (Central Africa), "C" (the Pacific Islands and German West Africa) were decided upon two months ago and published. The mandates are as follows:

Type "A"—British mandatory over Mesopotamia and Palestine; France over Syria and Lebanon.
Type "B"—Belgium mandatory over German East Africa; France and Great Britain over Togoland and Kamerun; Great Britain over German Southwest Africa.

Type "C"—Japan mandatory over north Pacific Islands, including Yap, Micronesia, and the Marshall Islands; South Africa over German Southwest Africa.

LORDS HEAR ARCHBISHOP CONDEMN BOTH SIDES

Others Demand Light on Irish Situation.

LONDON, Feb. 22.—The Archbishop of Canterbury in the House of Lords to-day vigorously condemned the Sinn Féin movement of murder and outrage in Ireland and also the reprisals taken by the Crown forces. He declared that he spoke the feelings of many persons who were in a state of bewilderment as to the government's policy on Irish affairs.

"It is not a question of politics, but of ethics—the ordinary abiding principles of right and wrong in public affairs," said the Archbishop. Lord Buckmaster, the Earl of Denbigh and the Bishop of Winchester supported the Archbishop's demand for fuller information.

BELFAST, Feb. 22.—Nine stores and dwellings at Roslea, county Fermanagh, were burned last night following upon the shooting of George Lester, a Unionist merchant of the place. Ulster volunteers are reported to have been in the area. Most of the residents fled to the hills.

Crown forces were ambushed to-day near Donegal. A constable was shot and a soldier wounded. Five constables were wounded, two seriously, in an attack against a police car to-day at Mount Lucas, Kings county.

Thirty-eight members of the Irish Republican Army who were drilling in Balinrobee, county Mayo, were surrounded and captured by Crown forces without casualties.

SIX NEW CARDINALS OFFICIALLY ANNOUNCED

Mgr. Dougherty of Philadelphia Is Only American.

ROME, Feb. 22.—The Osservatore Romano, the organ of the Vatican, to-day published the official announcement that the coming secret consistory will be held March 1, and the public consistory March 16. The following cardinals, the Osservatore Romano says, will be created:

Mgr. Dennis J. Dougherty, Archbishop of Philadelphia; Mgr. Francisco Vidal Barcenas, Archbishop of Tarragona; Mgr. Juan Benlloch y Vico, Archbishop of Burgos, Spain; Mgr. Karl Josef Schulte, Archbishop of Cologne; Mgr. Michael von Faulhaber, Archbishop of Munich, and Mgr. Francesco Ragonesi, Papanuncio in Madrid.

Archbishop Patrick Hayes of New York left Rome for Naples on his way back home to-day.

Someone observed, however, that the Pope yesterday in wishing Archbishop Hayes a pleasant voyage wished him also to "return soon." This has been interpreted to mean that the Pope intends to confer the red hat upon him. "But what will 'soon' mean?" was asked. "Perhaps one year," responded a monsignor who has close acquaintance with Vatican circles.

MAJORITY SOCIALISTS HOLD LEAD IN PRUSSIA

Von Bernstorff and Von Papen Win at the Polls.

BERLIN, Feb. 22.—Complete unofficial reports of the elections to the Prussian Landtag continue to show that the Majority Socialists are well in the lead. They have won 112 seats; Conservatives, 50; People's party, 57; Nationalist party, 73; Democrats, 26; Independent Socialists, 28; Communists, 30, and Economic party, 4.

It would appear that the Government coalition parties still have a majority in the Prussian Parliament, although it has been greatly reduced in consequence of the setback of the Democrats and Majority Socialists, compared with their position in the retiring National Assembly.

Count von Bernstorff, former Ambassador in Washington, was elected to the Reichstag in Schleswig, and Capt. von Papen, former German Military Attaché, was elected to the Prussian Landtag from Westphalia.

SEVRES TREATY MUST BE REVISED, ITALIANS ASSERT

Fighting in Near East Must Cease as First Requisite to Peace.

EXPECT PARLEY TO AID Count Sforza in Agreement With French Premier on Course to Pursue.

TURKS STILL DISAGREE

Allies Also Fail to Reach Accord on Claims of Either Turkey or Greece.

Special Cable to THE NEW YORK HERALD. Copyright, 1921, by THE NEW YORK HERALD. New York Herald Bureau, London, Feb. 22.

The Treaty of Sevres will not work, according to the Italian delegation to the allied conference here. Indeed, there is no longer any question, in their minds, about its unworkability. They hold it is now merely a matter of how to proceed to correct the situation created by the treaty. In this connection they are optimistic that as a result of the London conversations between the Allies and the Turks an adjustment of the treaty difficulties will be reached.

One of the leading aids of Count Sforza, Italian Foreign Minister, told THE NEW YORK HERALD correspondent here to-day that the fighting in the Near East must cease; that the Italian delegates are going into the conference to make this point plain, and that they feel sure of their ground, because they believe the Powers are agreed that to make peace it is only necessary to talk things over. The Italian delegates think it will take more than a week to arrive at a complete understanding, since the various factions interested must be heard before the Powers decide what course to pursue.

"Time has proven that the treaty of Sevres is hopeless," the Italian delegate quoted above said. "The treaty has defeated its own ends and had bred more fighting rather than stopped it. This fighting will continue as long as the treaty is maintained. Neither the Greek nor any other forces can hope to break this vicious chain. Diplomacy is the only solution."

"This is a day of peace. All those delegates have come here for that purpose, and the decision reached by the conference must be along peace lines, without any military operations. Italy's stand to-morrow will be the same as it has been all along, and that stand is greatly strengthened by the fact that all our friends now think the same way as we. France particularly is in accord with us on practically every detail."

Asked how the Greeks and Turks were going to have their respective demands satisfied, this Italian representative said it was not a question of satisfying them but that it was a question of bringing peace to the world and the disputants must be satisfied with that alone and help to bring it about. He declared the Italians themselves saw the light clearly and could not conceive that the others would not be able to do the same when they all got around the conference table.

He said Count Sforza agreed with the French Premier, M. Briand, in crediting the view of the Greeks that their military force was adequate to quell the Turks and indicated he was willing to regard the Greek Eastern position as similar to that which obtained before the return of Constantine to the Greek throne.

He said the Italians were greatly interested in the affairs of America in the next fortnight, and especially in the inauguration of Mr. Harding as President and his inaugural speech. They expect he will outline the American policy then and have done with quarrels.

"We are looking to our time honored friend, America, to back us up in our stand that these fights must cease, he added, "and to support treaties that will make a lasting peace possible."

Two Turk Factions to Attend.

Representatives of the Sultan of Turkey and of Mustafa Kemal Pasha, head of the Turkish Nationalists, will attend the allied conference here to-morrow, but to-night there is no evidence that they have reached an agreement among themselves or that the Allies have reached an agreement regarding either the Turkish claims or the claims of Greece. In other words, the third day of the allied conference will find the Near East the same potpourri it has been for centuries.

Frederick Brind and Lloyd George are making valiant efforts to reach a common ground on the Near East problem, but indications to-night are that they have not as yet succeeded. The Italians also face the German conference.

CONFEREES FIX 3 PER CENT. LIMIT ON IMMIGRATION

Senate Bill Is Accepted and Will Be Rushed Through House Within Few Days Under a Special Rule.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau, Washington, D. C., Feb. 22.

The Senate bill restricting foreign immigration to the United States from April 1, 1921, to June 30, 1922, to 3 per cent. of aliens from various countries now in America, as determined by the 1910 census, was agreed to in conference to-day, the House conferees accepting the complete terms of the Senate measure.

The maximum number that can be admitted from abroad in any one year under this provision is \$55,481, of which 202,212 could come in from the United Kingdom and northwest Europe and 152,249 from other portions of Europe.

The prompt acceptance by the House

ence on reparations next week, striving hard to effect some kind of an agreement between the Allies which will connect Germany they are together. They report current here yesterday that Premier Lloyd George and Premier Briand had reached an agreement to return a part of Thrace to Turkey, making Smyrna semi-autonomous, seems to have emanated from Italian quarters.

[The report said the British and French Prime Ministers had agreed that the frontier line of Thrace should be moved westward, extending from Znos, on the Aegean, to Midia, on the Black Sea.]

The claims of both the Turks and the Greeks are widely divergent, however, that they tend to impede each other's contentions, while it seems likely that the British, the French and the Italians will be able to work out some schematized story to themselves which they will impose on both the contentions parties.

This hope was voiced in both British and French quarters here to-night, although it was admitted that the details of the scheme had not yet matured. It was emphasized in British and French circles that some agreement on the Near Eastern imbroglio must be reached before next Monday, when the Germans are expected to arrive in London.

One Turkish Delegation.

The Turkish Nationalists and Tewfik Pasha will send a common delegation to the conference to-morrow. It will be composed of Osman Nizami Pasha, as chairman, representing the Nationalists, and Yousouf Bey, also an adherent of Mustafa Kemal. Like the Greeks, they are practically agreed regarding the Turkish exterior policy, differing only in so far as where the real seat of Turkish power rests. The Turkish Nationalists insist they are representatives of the Nationalist Assembly and the Turkish people, while Tewfik Pasha is only the representative of the Sultan, who is a prisoner in Constantinople.

The conference to-day revolved almost exclusively around efforts to reach an agreement between the Greek and the Turkish claims to actual power in Asia Minor. Gen. H. J. E. Gouraud, one time French High Commissioner to Syria, and other French military men openly question the claims of Premier Kalligropoulos of Greece that the Greek army can clean out Anatolia with only financial aid. The Turkish Nationalists assert they have 180,000 well trained and equipped fighters, and the French, who have felt their metal, are inclined to believe this.

Felal Puts in Arab Claim.

The Arabs also are beginning to inject themselves into the situation. To-day Emir Feisal, whom the Arabs proclaimed King of Syria last March and who was deposed by the French, declared a protest, but the French have so far blocked his appearance before the conference. It was said that the French had induced the conference to declare it would hear any representative of King Hussein of the Hedjaz, father of Emir Feisal, other than the Emir himself. However, Emir Feisal has shrewdly packed off all the other representatives from the Hedjaz and is now the only one here. He is preparing to demand the entire ancient Arab kingdom in accordance with the promises, he says, the British made in 1915, when the Arabs entered the war and helped chase the Turks off the Arabian peninsula.

The Greek contention is that the Turkish Nationalists have not more than 100,000 men on all three of their fronts and that the Greek Army is nearly three times that size.

The French estimate the size of the Turkish Nationalist force at 160,000 men. Greek and French figure experts are now engaged in measuring what the actual strength of the two forces is, and it is hoped that the conference to-morrow will arrive at conclusions sufficiently definite to warrant the Allies offering terms which neither the Greeks nor the Turks can afford to turn down.

The Turks profess to remain firm, however, that they will raise a holy war throughout the East unless the terms include their sovereignty over Smyrna, Constantinople and the Straits and at least that portion of Thrace which contains sacred Adrianople. This represents some concessions by the Turks from their demands yesterday, when they insisted on having all of Thrace.

ANTI-JAP BILL ADVANCED.

AUSTIN, Tex., Feb. 22.—The House Committee on State Affairs to-day reported favorably an anti-alien land ownership bill designed to prevent Japanese from acquiring land in Texas. The bill passed the Senate last week.

TOLSTOI PREDICTS RED RAID ON POLAND

Count Tells of Million Men Ready for Invasion Possibly Also of Rumania.

Special Cable to THE NEW YORK HERALD. Copyright, 1921, by THE NEW YORK HERALD. New York Herald Bureau, Paris, Feb. 22.

The Bolsheviks have concentrated an army of 700,000 men on the western front. Of these 400,000 are massed against Poland and plans are under way for increasing this number by calling up three new classes, which will bring the total numbers of effective troops up to well over 1,000,000. Within a few months the Red troops will invade Poland and perhaps also Rumania. They will be supported by Germany and probably will be victorious. Then after they have formed an alliance with Germany and Jugo-Slavia, France and England will no longer be able to face the future so serenely as now.

This is a prophecy made by Count Leo Tolstoy, son of the Russian writer, who to-day declared in the Journal that Bolsheviks have nothing in common with his father's principle of Socialism despite Moscow's attempt by celebrating the twentieth anniversary of Count Tolstoy's death to convince the public that the abyss between Christian Socialism and savage despotism is not so great as depicted.

"The world is menaced with another war," the younger Count Tolstoy insists. "It is no longer possible to doubt that the Reds are preparing a great offensive for the springtime, an offensive which moreover they are obliged to begin because unless they keep their troops on a war footing the power of Bolshevism will begin to wane. I am convinced that the moment the troops are enabled to regain their farms and homes Sovietism will break down because it will lack the blind fidelity which Moscow's iron discipline insists upon."

Count Tolstoy summarizes the military potentiality thus: On the front between Moscow and Petrograd forty-five divisions have been formed, Moscow alone housing fifteen divisions. The total concentration on the Western front exceeds 700,000 with reserves. In the Caucasus another 70,000 are menacing Persia and the British position in India. The Bolsheviks, moreover, must be considered the masters in Turkestan, where missions in Bokhara, Pamir and Kabul, acting under direct instructions from Moscow, are intriguing against the British.

Three hundred thousand men divided between the Rumanian and Lithuanian frontiers provide strong supports for the warring Bolsheviks, who are only awaiting the signal to attack Poland and the rest of Europe. Count Tolstoy is of the opinion Bolshevism can be conquered by exterior force and suggests that the Allies organize a volunteer army such as that envisaged by the German General Staff last year to capture Petrograd and Moscow and crush once and for all the Soviet movement. But he is unwilling to use German troops for this, as he believes the evidence to be almost conclusive that they are sympathetic with the Russian effort to conquer Poland and are anxious to have the opportunity to share in the territorial loot which the downfall of the Polish regime would yield.

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BREAK WITH CHINA SEEN IN U. S. NOTE

ROME, Feb. 22.—The Giornale d'Italia to-day publishes with large headlines news of an American note to China concerning the wireless station which the American Federal Wireless Company contracted to erect for China and against which the British and Japanese have lodged protests.

The American ultimatum to China complicates the situation in the Far East, the newspaper says, "being a threat to break diplomatic relations with Peking."

CLEAR JAP SENTRY IN LANGDON KILLING

Court-martial Acquits Shooter of 'Accidental Murder' of United States Man.

LACK OF TRAINING CITED Commander of Sentries Is Suspended—Other Officers Held Responsible.

By the Associated Press.
Tokyo, Feb. 22.—A finding of not guilty has been rendered by the court-martial which tried Toshikazu Ogawara, the sentry who shot Lieut. Langdon of the U. S. S. Albany at Vladivostok last month. It was officially announced by the War Department to-day. The trial was on the charge of accidental murder.

The conclusion of the War Department's statement reads: "In these peculiar circumstances under which the shooting occurred and because of the absence of any special provisions justly applicable to the present case, the court-martial has given judgment as above. As it is clear that the action of the sentry was chiefly due to lack of proper training, the commander of sentries is held responsible and ordered suspended, while other officers also responsible will be duly punished."

The judgment in the case explains that the accused was serving as guard at the headquarters of the Eleventh Division and that at 4 o'clock in the morning of January 8 he assumed the sentryship in front of the main entrance to the headquarters. All the electric lamps in the streets were out and everything was quiet and in absolute darkness.

At 4:10 o'clock, the judgment continues, the sentry's attention was arrested by a flashlight, and he made out a pedestrian approaching on the other side of the street, lighting his way with a pocket lamp.

"At that time," the document goes on, "several wires including those used by the Japanese troops, had been found broken and hanging down in such a way that they might easily be touched by a passerby. Naturally the accused suspected that the pedestrian might intend to cut wires."

"As he passed the place where the wires were the pedestrian's lamp ceased to shine. The sentry's suspicion was enhanced. He left his post and challenged three times in Russian, but the man continued as if he had heard nothing. He stepped the man as far as the crossway, challenged twice and the man stopped. The sentry asked in Russian whether the pedestrian was a Russian or an American. The man answered, but the sentry did not understand."

"As the coat of the man indicated nothing helpful to identification at first glance the sentry is the hope of getting a better look attempted to seize the pocket lamp."

"The man drew the lamp back and at the same time approached the sentry, with his right hand thrust in his pocket. The sentry hastily concluded that he intended to assault him with a revolver."

"Out of fear the sentry withdrew a few steps and made himself ready for self-defense. The man turned away a few steps. The sentry, not completely trained and because sentries have been warned against neglect of duties on account of frequent assaults on the sentries, which are inevitable in the disturbed conditions of Siberia, believed he could resort to arms against whomever disobeyed his orders and fired at the man from behind, with the words: 'If you run away you will be shot.'"

"As he tottered, the man fired two shots at the sentry, whereupon the sentry fired again. Subsequently the man was identified as an American officer."

The judgment declares that according to Japanese military law sentries are justified in resorting to arms under the following conditions: First, when necessary to self-defense; second, when there is no other means of suppressing outrages; third, when there is no other means of protecting life and property. The judgment concludes that the sentry came under none of the above conditions and therefore cannot be regarded as having discharged his duties properly. To all intents and purposes he would appear to be guilty, but an important fact that should not be overlooked is that the sentry had never undergone perfect training necessary to a sentry and therefore when he fired at an American officer he was under the impression that he was perfectly fulfilling his duties."

"What he did, therefore, was without intent to violate the army regulations, at the same time it could not be regarded as an action arising solely by accident."

WASHINGTON, Feb. 22.—Regret on the part of the Japanese Government over the fatal shooting of Lieut. W. H. Langdon is reiterated in the reply of that Government to the note from the United States Government.

The hope was expressed by the Japanese Government "that the Government of the United States will fully appreciate the sincere spirit in which the Japanese Government has acted in dealing with this most unfortunate incident."

The State Department made public a paraphrase of the Japanese Government's reply, based on a cablegram from the American Embassy at Tokyo, which says the sentry who fired the fatal shot has been held to be excused by the orders and actions of his superiors upon whom responsibility has been squarely placed and who are to be punished. The sentry, however, was found guilty of deception in his testimony as to the circumstances of the fatality and for this has been sentenced to confinement for thirty days.

The paraphrase continues: "A most thorough and exhaustive examination was conducted by the court-martial, resulting in the removal from the active list of the Japanese army of Major-Gen. Nishihara, commanding the Japanese garrison at Vladivostok. The court-martial held that Gen. Nishihara had been guilty of a misinterpretation of the barracks regulations and had thus incurred primary responsibility for the unfortunate incident. He has been deprived of the command of the garrison and of the rank of brigade commander, which he previously held."

"The barracks officer of the rank of major has been adjudged guilty of responsibility in the matter and sentenced to confinement for thirty days. The assistant barracks officer and a lieutenant have both been sentenced to a similar punishment for a period of twenty days. The company commander has been sentenced to a lesser period."

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